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OFFICE OF PETITIONS

4 JUNE 2012

PETITION FOR RECONSIDERATION  
under 37 CFR 1.378(e)

In re Patent No. 6,348,074  
Issue Date: February 19, 2002  
Application No. 09/228,821  
Filed: January 11, 1999  
Patentee: Deborah Wenzel

This is a response to the decision on the petition under 37 CFR 1.378(c) filed on February 14, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent in which the petition was dismissed for a deficiency in the payment of the 7 1/2 year maintenance fee in the amount of \$185.

This petition for reconsideration is timely filed within the two month time period allowed from the April 30, 2012 mailing date of the Office of Petitions decision, and is accompanied by a Personal Money Order bank cheque payable to the Commissioner for Patents in the total amount of \$585 as payment of the required deficient \$185 as well as the required petition fee of \$400 as set forth in 37 CFR 1.17(f).

If any further correspondence or payment is required, please contact the Patentee, Deborah Wenzel, at the following address and /or phone number:

270 Sparta Avenue  
Suite 104-333  
Sparta, NJ 07871  
(973) 726-3344

Signed,

Deborah Wenzel

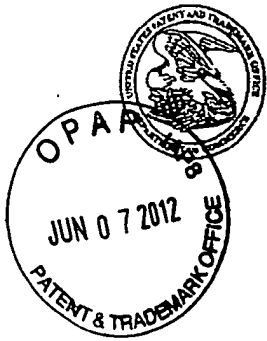
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**ON PETITION**

In re Patent No. 6,348,074  
Issue Date: February 19, 2002  
Application No. 09/228,821  
Filed: January 11, 1999  
Patentee(s): Deborah Wenzel

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This is a decision on the petition under 37 CFR 1.378(c), filed on February 14, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks item (3) above.

A review of the record shows petitioner submitted a credit card payment in the amount of \$2,880 for payment of the 3 ½ year maintenance fee in the amount of \$1,240 and the unintentional surcharge in amount of \$1,640, on February 14, 2012. However, since the patent expired for non-payment of the 7 ½ year maintenance fee, this patent cannot be reinstated until the deficiency of \$185 (1425-1240) has been submitted<sup>1</sup>.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within **TWO (2) MONTHS** from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not a final agency action within the meaning of 5 U.S.C. § 704.

<sup>1</sup> Effective September 26, 2011, the 7 ½ small entity maintenance fee was increased from \$1,240 to \$1,425

**Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.**

Further correspondence with respect to this matter should be addressed as follows:

By mail:                Mail Stop PETITION  
                          Commissioner for Patents  
                          Post Office Box 1450  
                          Alexandria, VA 22313-1450

By hand:              U.S. Patent and Trademark Office  
                          Customer Service Window, Mail Stop Petitions  
                          Randolph Building  
                          401 Dulany Street  
                          Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-3226.

/Andrea Smith/  
Andrea Smith  
Petitions Examiner  
Office of Petitions

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